

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAPHAEL JACKSON,

X

Petitioner,

22-CV-03357 (LGS)(SN)

-against-

ORDER

MICHAEL CAPRA,

Respondent.

X

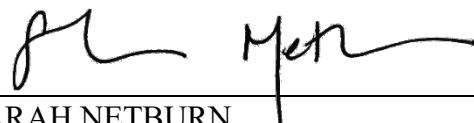
SARAH NETBURN, United States Magistrate Judge:

Petitioner Raphael Jackson (“Petitioner”), proceeding *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner requests the appointment of counsel pursuant to the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006(A)(g). ECF No. 24.

Under 18 U.S.C. § 3006(A)(2), the Court can order the appointment of counsel for “any financially eligible person who . . . is seeking relief under section 2241, 2254, or 2255 of title 28,” if the Court determines that “the interests of justice so require.” Rule 8(c) of the Rules Governing Section 2254 Cases require the appointment of counsel when an evidentiary hearing is warranted. See Serrano v. Smith, No. 03-CV-9107 (NRB), 2004 WL 2884299, at *2 (S.D.N.Y. Dec. 13, 2004). Having reviewed Petitioner’s submissions, the Court concludes that appointment of CJA counsel is not warranted at this time.

The Clerk of Court is respectfully directed to mail a copy of this Order to Petitioner and terminate the motion at ECF No. 24.

SO ORDERED.



SARAH NETBURN

United States Magistrate Judge

DATED: July 24, 2023
New York, New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/24/2023